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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Xiu Xiu Cheng, Chih-Ming Chen, Steve Jan, Joseph ChouApplication No./Patent No.: 6,790,459 Filed/Issue Date: September 14, 2004Title: METHODS FOR TREATING DIABETES VIA ADMINISTRATION OF CONTROLLED RELEASE METFORMINAndrx Labs, LLC , a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest in;
- an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
- the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: X. Cheng, C.Chen, S. Jan, J.Chou To: ANDRX CORPORATIONThe document was recorded in the United States Patent and Trademark Office at  
Reel 011687, Frame 0690, or for which a copy thereof is attached.2. From: Andrx Corporation, A Florida Corporation To: Andrx Corporation, A Delaware CorporationThe document was recorded in the United States Patent and Trademark Office at  
Reel 013792, Frame 0227, or for which a copy thereof is attached.3. From: ANDRX CORPORATION To: ANDRX LABS, LLCThe document was recorded in the United States Patent and Trademark Office at  
Reel 013788, Frame 0187, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet(s). As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

October 15, 2010

Date

Senior VP/ General Counsel

Title

David A. Buchen

Printed or Typed Name

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file to the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and your suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.